

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Jeffrey L. Thomas
Elisa M. Liberatore-Thomas
Debtor(s)

Bankruptcy Case No.: 16-20253-JAD
Per October 13, 2016 proceeding
Chapter: 13
Docket No.: 64 – 43, 46
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated August 30, 2016 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: IRS (Claim No. 8-2) .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: October 20, 2016

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 6
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Jeffrey L. Thomas
 Elisa M. Liberatore-Thomas
 Debtors

Case No. 16-20253-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: lmar
 Form ID: 149

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 Total Noticed: 69

Date Rcvd: Oct 20, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 22, 2016.

db +Jeffrey L. Thomas, 516 Bute Road, Uniontown, PA 15401-9604
 jdb +Elisa M. Liberatore-Thomas, 5 Greene Drive, P.O. Box 432, Richeyville, PA 15358-0432
 14170692 +Adagio Health, 960 Penn Avenue, Pittsburgh, PA 15222-3812
 14170699 +Brownsville ASD & Boro. c/o SWRTB, One Centennial Way, Scottdale, PA 15683-1741
 14170700 ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
 (address filed with court: Capital One, c/o TSYS Total Debt Management, P.O. Box 5155, Norcross, GA 30091)
 14170701 CBCS, P.O. Box 2724, Columbus, OH 43216-2724
 14170703 ++CONTINENTAL FINANCE COMPANY LLC, PO BOX 8099, NEWARK DE 19714-8099
 (address filed with court: Continental Finance, P.O. Box 105125, Atlanta, GA 30348-5125)
 14170702 CitiMortgage, Inc., Bankruptcy Servicing Center, P.O. Box 140609, Irving, TX 75014-0609
 14182004 +Dr. Leslie P. Midla D.D.S., 2842 Main Street, Beallsville, PA 15313-0018
 14170705 ECMC, P.O. Box 16408, Saint Paul, MN 55116-0408
 14170706 ECMC, P.O. Box 75906, Saint Paul, MN 55175
 14170707 +Emergency Physicians of Washington, 155 Wilson Avenue, Washington, PA 15301-3336
 14170708 Emergency Resource Management, Inc., P.O. Box 371980, Pittsburgh, PA 15250-7980
 14170714 ++FORD MOTOR CREDIT COMPANY, P O BOX 62180, COLORADO SPRINGS CO 80962-2180
 (address filed with court: Ford Motor Credit Company, National Bankruptcy Service Center, P.O. Box 6275, Dearborn, MI 48121)
 14170709 +Farnam & Pfile Rentals, 4306 State Route 51 South, Belle Vernon, PA 15012-3533
 14182003 +Fayette Waste, P.O. Box 65, Waltersburg, PA 15488-0065
 14170710 #Fidelis Recovery Management, LLC, 2221 New Market Parkwaye, Suite108, Marietta, GA 30067-9310
 14170711 +First Data, 265 Broad Hollow Road, Melville, NY 11747-4833
 14170713 First National Credit Card, P.O. Box 5097, Sioux Falls, SD 57117-5097
 14170715 Ford Motor Credit Company, c/o Weltman, Weinberg & Reis, 1400 Koppers Building--436 7th Avenue, Pittsburgh, PA 15219
 14170716 Highmark Blue Shield, 120 Fifth Avenue, Pittsburgh, PA 15222-3099
 14170718 +Interventional Radiology Specialists, 10567 Sawill Parkway--Suite 100, Powell, OH 43065-6672
 14170719 Laboratory Corporation of America, P.O. Box 2240, Burlington, NC 27216-2240
 14170720 Legacy Visa, P.O. Box 5097, Sioux Falls, SD 57117-5097
 14197573 +Leslie P. Midla D.D.S, PO Box 39, Beallsville, PA 15313-0039
 14170722 McKesson Patient Care Solutions, inc., P.O. Box 645034, Pittsburgh, PA 15264-5034
 14170723 +Medac-Keystone Anesthesia Consultants, The Washington Hospital, 155 Wilson Avenue, Washington, PA 15301-3398
 14170724 Medical Bureau of Pittsburgh, c/o CBCS, P.O. Box 2724, Columbus, OH 43216-2724
 14182002 Mumtaz A. Alvi, M.D., 1580 Broad Avenue, Suite 2, Belle Vernon, PA 15012-1998
 14170726 National Rehab. Equipment, Inc., Airside Business Park, 540 Lindbergh Drive, P.O. Box 1135, Moon Township, PA 15108-6135
 14248251 +PNC BANK, National Association, PNC Mortgage, a division of PNC Bank, NA, 3232 Newmark Drive, Attn: Bankruptcy, Miamisburg, OH 45342-5421
 14170732 +PNC Mortgage, 3232 Newmark Drive, Miamisburg, OH 45342-5433
 14170730 +Pathology Associates of Washington, PA, 155 Wilson Avenue, Washington, PA 15301-3336
 14170731 +Pittsburgh Veterinary Specialty Services, 807 Camp Horne Road, Pittsburgh, PA 15237-1207
 14182005 +Planet Fitness, 609 Pittsburgh Street, Uniontown, PA 15401-2276
 14170736 Quest Diagnostics, P.O. Box 740717, Cincinnati, OH 45274-0717
 14170738 Rohland, Patt, Rohland Associates, 119 Thornton Road, Brownsville, PA 15417-9607
 14170739 Santander Consumer USA, Attn: Bankruptcy Dept., P.O. Box 560284, Dallas, TX 75356-0284
 14176183 +Santander Consumer USA, Inc., P.O. Box 961245, Fort Worth, TX 76161-0244
 14170728 The Orthopedic Group, P.C., 800 Plaza Drive--Suite 240, Belle Vernon, PA 15012-4033
 14170745 +The Washington Hospital, 155 Wilson Avenue, Washington, PA 15301-3398
 14182006 +Tregembo Motors, 125 Wilson Road, Bentleyville, PA 15314-1027
 14170741 Uniontown Hospital, 500 West Berkeley Street, Uniontown, PA 15401-5596
 14170743 +Verizon, Attn: Bankruptcy, 500 Technology Drive, Weldon Spring, MO 63304-2225
 14170744 Verizon Wireless Bankruptcy Admin., P.O. Box 3397, Bloomington, IL 61702-3397

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14173420 E-mail/Text: ebnbankruptcy@ahm.honda.com Oct 21 2016 01:23:30
 American Honda Finance Corporation, National Bankruptcy Center, P.O. Box 168088, Irving, TX 75016-8088, 866-716-6444
 14170695 E-mail/Text: ebnbankruptcy@ahm.honda.com Oct 21 2016 01:23:30 American Honda Finance, P.O. Box 168088, Irving, TX 75016-8088
 14170697 E-mail/Text: g20956@att.com Oct 21 2016 01:23:38 AT&T Mobility, 5020 Ash Grove Road, Springfield, IL 62711-6329
 14170693 E-mail/Text: ally@ebn.phinsolutions.com Oct 21 2016 01:23:02 Ally Financial, P.O. Box 130424, Roseville, MN 55113-0004
 14218724 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Oct 21 2016 01:25:50
 American InfoSource LP as agent for, Verizon, PO Box 248838, Oklahoma City, OK 73124-8838
 14170696 +E-mail/Text: bkrpt@retrievalmasters.com Oct 21 2016 01:23:25
 American Medical Collection Agency, 4 Westchester Plaza--Building 4, Elmsford, NY 10523-1615

District/off: 0315-2

User: lmar
Form ID: 149

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Total Noticed: 69

Date Rcvd: Oct 20, 2016

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14170698 E-mail/Text: bnc@bass-associates.com Oct 21 2016 01:23:01 Bass & Associates,
3936 East Fort Lowell Road--Suite 200, Tucson, AZ 85712-1083
14170704 +E-mail/Text: hariasdiaz@creditmanagementcompany.com Oct 21 2016 01:23:34
Credit Management Company, 2121 Noblestown Road, P.O. Box 16346,
Pittsburgh, PA 15242-0346
14170712 +E-mail/Text: jwever@firstknox.com Oct 21 2016 01:23:01 First Knox National Bank,
P.O. Box 1270, Mount Vernon, OH 43050-1270
14170717 E-mail/Text: cio.bncmail@irs.gov Oct 21 2016 01:23:09 Internal Revenue Service,
P.O. Box 7346, Philadelphia, PA 19101-7346
14170721 +E-mail/Text: ebn@ltdfin.com Oct 21 2016 01:23:10 LTD Financial Services,
7322 Southwest Freeway--Suite 1600, Houston, TX 77074-2010
14170725 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Oct 21 2016 01:26:18 Midland Funding,
c/o American InfoSource LP, P.O. Box 4457, Houston, TX 77210-4457
14170727 +E-mail/Text: bankruptcydepartment@tsico.com Oct 21 2016 01:23:42
NCO Financial Systems, Inc., P.O. Box 15618, Dept. 51, Wilmington, DE 19850-5618
14170729 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Oct 21 2016 01:23:22 PA Department of Revenue,
Bankruptcy Division, Dept. 280946, Harrisburg, PA 17128-0946
14170733 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Oct 21 2016 01:25:51
Portfolio Recovery, P.O. Box 41067, Norfolk, VA 23541
14179617 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Oct 21 2016 01:26:04
Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
14182009 +E-mail/Text: RVSVCBICNOTICE1@state.pa.us Oct 21 2016 01:23:22
Pennsylvania Department of Revenue, Bankruptcy Division PO BOX 280946,
Harrisburg, PA 17128-0946
14170734 +E-mail/Text: csidl@sbcglobal.net Oct 21 2016 01:23:35 Premier BankCard/Charter,
P.O. Box 2208, Vacaville, CA 95696-8208
14172882 E-mail/Text: bnc-quantum@quantum3group.com Oct 21 2016 01:23:12
Quantum3 Group LLC as agent for, Sadino Funding LLC, PO Box 788,
Kirkland, WA 98083-0788
14170735 E-mail/Text: bnc-quantum@quantum3group.com Oct 21 2016 01:23:12 Quantum3 Group, LLC,
P.O. Box 788, Kirkland, WA 98083-0788
14170737 +E-mail/Text: Supportservices@receivablesperformance.com Oct 21 2016 01:23:43
Receivables Performance Management, 20816 44th Avenue West--Suite 100,
Lynnwood, WA 98036-7744
14170740 E-mail/PDF: clerical@simmassociates.com Oct 21 2016 01:26:13 Simm Associates, Inc.,
P.O. Box 7526, Newark, DE 19714-7526
14170742 +E-mail/Text: BankruptcyNotice@upmc.edu Oct 21 2016 01:23:40 UPMC Physician Services,
1650 Metropolitan Street, Third Floor--Customer Service, Pittsburgh, PA 15233-2213
14170746 E-mail/Text: bankrupt-adjdept@wesbanco.com Oct 21 2016 01:23:34 WesBanco Bank,
Bankruptcy Department, One Bank Plaza, Wheeling, WV 26003-3565

TOTAL: 24

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Ford Motor Credit Company LLC
cr PNC BANK, National Association
14192630* ++FORD MOTOR CREDIT COMPANY, P O BOX 62180, COLORADO SPRINGS CO 80962-2180
(address filed with court: Ford Motor Credit Company LLC, Dept. 55953, P O Box 55000,
Detroit MI, 48255-0953)
14195705* ++FORD MOTOR CREDIT COMPANY, P O BOX 62180, COLORADO SPRINGS CO 80962-2180
(address filed with court: Ford Motor Credit Company LLC, P. O. Box 62180,
Colorado Springs, CO 80962)
14170694 ##+AmerAssist AR Solutions, 8415 Pulsar Place, Columbus, OH 43240-4033

TOTALS: 2, * 2, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court
immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

District/off: 0315-2

User: lmar
Form ID: 149

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***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 22, 2016

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 20, 2016 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor PNC BANK, National Association
agornall@goldbecklaw.com, bkgroup@goldbecklaw.com; bkgroup@kmlawgroup.com
Daniel R. White on behalf of Debtor Jeffrey L. Thomas dwhite@zeblaw.com, gianna@zeblaw.com
Daniel R. White on behalf of Joint Debtor Elisa M. Liberatore-Thomas dwhite@zeblaw.com,
gianna@zeblaw.com
Joshua I. Goldman on behalf of Creditor PNC BANK, National Association bkgroup@kmlawgroup.com
Keri P. Ebeck on behalf of Creditor Ford Motor Credit Company LLC kebeck@weltman.com,
jbluemle@weltman.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 7